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January 30, 2017

VIA ECF

Hon. James B. Clark, III, U.S.M.J.
United States District Court, District of New Jersey
United States Courthouse
2 Federal Square, Room 369
Newark, NJ 07101

Re: Jeffrey A. Winters, et al. v. Joseph K. Jones, Esq., et al.
Civil Action No. 2:16-cv-9020-JMV-JBC

Dear Judge Clark:

We represent defendants Joseph K. Jones, Esq., Benjamin J. Wolf, Esq. and Jones, Wolf & Kapasi, LLC (collectively, the "Jones Defendants") in the above-referenced matter. We are in receipt of the January 30, 2017 letter to the Court from counsel for Plaintiffs requesting "an early in-person conference" in this matter.

We respectfully object to counsels' request for a conference at this time. First, the request is premature. Several defendants have already filed Rule 12(b)(6) motions to dismiss the Complaint, and the Jones Defendants, whose response to the Complaint is currently due by February 16, 2017, will also be filing a Rule 12(b)(6) motion to dismiss the Complaint. To the extent that Plaintiffs' counsel needs additional time to respond to the motions, we are confident that counsel can work out a briefing schedule among themselves without burdening the Court.

Second, we believe that the motions to dismiss will fully dispose of this matter. (In this regard, we do not understand Plaintiffs' counsel's reference in his letter to a "planned early Motion for Summary Judgment as to liability.") In the event that any of Plaintiffs' claims survive the defendants' motions to dismiss, a Rule 16 conference would then be held.

Third, in view of the parties' motions to dismiss, the Jones Defendants do not at this point have any interest in participating in "early mediation proceedings."

Accordingly, the Jones Defendants object to Plaintiffs' counsel's request for a conference and respectfully request that the Court deny the request.

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Thank you for Your Honor's consideration of this matter.

Respectfully yours,


Anthony J. Sylvester

cc: All counsel of record via ECF

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